



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,778	03/01/2002	Dan Kikinis	ISURFTV158	8802
52940	7590	08/11/2006	EXAMINER	
TODD S. PARKHURST HOLLAND & KNIGHT LLP 131 S. DEARBORN STREET 30TH FLOOR CHICAGO, IL 60603			PENG, FRED H	
			ART UNIT	PAPER NUMBER
			2633	
DATE MAILED: 08/11/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/087,778	Applicant(s) KIKINIS, DAN	
	Examiner fred peng	Art Unit 2633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/01/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03/01/02</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2633

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Look et al (US 6,757,906 B1) and Kikinis (US 5,929,849).

Regarding Claim 1, Look teaches a method of maintaining the display of a frame of a live video presentation by "The parser 705 parses the input data stream from the MPEG encoder 703, audio encoder 704 and VBI decoder 702, or from the transport demultiplexor in the case of a digital TV stream. The parser 705 detects the beginning of all of the important events in a video or audio stream, the start of all of the frames, the start of sequence headers--all of the pieces of information that the program logic needs to know about in order to both properly play back and perform special effects on the stream, e.g. pause (See Col 7 lines 56-65)". Look doesn't teach the frame having associated interactive link. However, Kikinis teaches the frame having associated interactive link by "In an alternative embodiment a system is provided for TV transmission and display of television programming, comprising a source providing a data stream having image frame data in one region and a dynamic Internet Universal Resource Locator (URL) in a separate region, the URL related to an image entity in a display provided by the image frame data; and receiving and display apparatus adapted for receiving and displaying the image frame data on a display monitor, the receiver and display apparatus comprising also an Internet Browser (See Col 3 lines 10-19)". It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to freeze the frame of a live video of Look with associated interactive link taught by Kikinis so that the user can easily access the interactive link to display an image

Art Unit: 2633

or multiple images associated with the URL or to enhance the picture quality of the frame being viewed (See Col 3 lines 24-31).

Regarding Claim2, Look teaches maintaining the display of a frame and access to the interactive link are done in response to a user action by "The invention provides a television viewer interface system. The system provides an intuitive, visually communicative user interface (See Col 1 lines 66-67, Col 2 line 1)" and " In embodiments of the present invention, individual images in TV presentations, such as persons, objects, and the like, are linked with Universal Resource Locators (URLs) in a manner that a viewer may select such images, and by so doing, invoke a linked URL (See Col 5 lines 17-21)".

Regarding Claim3, Look teaches the user action is depressing an activation button on a control device by "if the user has a remote control and is watching TV, the user presses pause and the control object 917 sends an event to the sink 903, that tells it pause (See Col 10 lines 43-46)" and "such as WEB browsing, a cursor is displayed on the TV screen, and cursor manipulation is provided by buttons on the remote (See Col 1 lines 47-49)".

Regarding Claim4, Look further teaches depressing a deactivation button to resume the video presentation by " The sink 903 starts taking buffers out again when it receives another event that tells it to play. The system is in perfect synchronization; it starts from the frame that it stopped at (See Col 10 lines 47-50)".

Regarding Claim5, Look further teaches the frame can be stored for later use by "The invention's construct allows items called video loopsets to be stored on a storage device. A video loopset is a three to four second loop of video created so that the ending and beginning seamlessly merge together to give the effect of a continuous video stream as the system plays the loopset from beginning to end, looping back to the beginning of the loopset each time the end is reached (See Col 2 lines 7-14). The system is in perfect synchronization; it starts from the frame that it stopped at (See Col 10 lines 49-50)". Look does not teach the interactive link with the frame. However, Kikinis does teach the interactive link associated with the frame (See Col 3 lines 10-19). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to freeze the frame of a live video of Look with associated interactive link taught by Kikinis so that the user can easily access the interactive link to display an image or multiple

Art Unit: 2633

images associated with the URL in later time or to enhance the picture quality of the frame being viewed (See Col 3 lines 24-31).

Regarding Claim6, Look further teaches maintaining the display of a frame is done by interrupting a refreshing of a frame buffer by "if the user has a remote control and is watching TV, the user presses pause and the control object 917 sends an event to the sink 903, that tells it pause. The sink 903 stops asking for new buffers. The current pointer 920 stays where it is at (See Col 10 lines 43-47)". Look does not teach interactive link data stream associated with the frame. However, Kikinis teaches the Data stream bearing image frame data and a dynamic URL in a separate data range (See Fig. 3A Item 83). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made would have been motivated to combine the teaching of Look with the teaching of Kikinis because the interactive data stream is embedded between the frames (See Fig. 2B items 63, 65 as data stream and items 61, 65 as frames) and will be interrupted whenever the frame is interrupted.

Regarding Claim7, Look teaches a method of interrupting a frame buffer such that a live video presentation is interrupted and the frame is paused by "if the user has a remote control and is watching TV, the user presses pause and the control object 917 sends an event to the sink 903, that tells it pause. The sink 903 stops asking for new buffers. The current pointer 920 stays where it is at (See Col 10 lines 43-47)". Look doesn't teach a frame of the video presentation with an associated interactive link. However, Kikinis teaches a frame of the video presentation with an associated interactive link by "In still a further aspect of the invention a method is provided for accessing additional information related to an image entity in a video display, comprising steps of (a) associating the image entity with a dynamic Universal Resource Locator (URL) transmitted between frames in a data stream including image frames for the video display; (b) selecting the entity in the video display by user input (See Col 4 lines 35-41)". It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made would have been motivated to combine the teaching of Look with the teaching of Kikinis because the interactive data stream is embedded between the frames (See Fig. 2B items 63, 65 as data stream and items 61, 65 as frames) and will be interrupted whenever the frame is interrupted.

Art Unit: 2633

Regarding Claim8, Look further teaches interrupting a frame buffer is in response to a user action (See Col 1 lines 66-67, Col 2 line 1) while the interactive link stream associated with the frame taught by Kikinis will be also interrupted.

Regarding Claim9, Look further teaches the user action is depressing an activation button on a control device (See Col 10 lines 43-46).

Regarding Claim10, Look further teaches depressing a deactivation button to resume the video (See Col 10 lines 47-50).

Regarding Claim11, Look further teaches the frame combined with the interactive link associated with the frame taught by Kikinis can be stored for later use (See Col 2 lines 7-14, Col 10 lines 49-50).

Regarding Claim12, Look teaches a machine-readable medium containing the instructions to be executed by a processor to perform the method to pause the frame by "A program storage medium readable by a computer, tangibly embodying a program of instructions executable by the computer to perform method steps for an interactive television viewer interface, comprising the steps of..... receiving user command input (See Claim23)". Look does not teach frame having associated interactive link. However, Kikinis does teach the frame having associated interactive link. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to freeze the frame of a live video of Look with associated interactive link taught by Kikinis so that the user can easily access the interactive link to display an image or multiple images associated with the URL or to enhance the picture quality of the frame being viewed (See Col 3 lines 24-31).

Regarding Claim13, Look further teaches maintaining the display of a frame along with the teaching of frame with interactive link by Kikinis is done in response to a user action (See Col 1 lines 66-67, Col 2 line 1) and (See Col 5 lines 17-21).

Regarding Claim14, Look further teaches the user action is depressing an activation button on a control device (See Col 10 lines 43-46).

Regarding Claim15, Look further teaches depressing a deactivation button to resume the video presentation (See Col 10 lines 47-50).

Art Unit: 2633

Regarding Claim 16, Look further teaches maintaining the frame with the teaching of interactive link by Kikinis can be stored for later use (See Col 2 lines 7-14, Col 10 lines 49-50). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to freeze the frame of a live video of Look with associated interactive link taught by Kikinis so that the user can easily access the interactive link to display an image or multiple images associated with the URL in later time or to enhance the picture quality of the frame being viewed (See Col 3 lines 24-31).

Regarding Claim 17, Look teaches machine-readable medium containing the instructions to be executed by a processor to perform the method of interrupting a frame (See Claim 23) and the interactive link stream taught by Kikinis. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to freeze the frame of a live video of Look with associated interactive link taught by Kikinis so that the user can easily access the interactive link to display an image or multiple images associated with the URL or to enhance the picture quality of the frame being viewed (See Col 3 lines 24-31).

Regarding Claim 18, Look further teaches the frame and the interactive link taught by Kikinis can be stored for later use (See Col 2 lines 7-14, Col 10 lines 49-50).). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to freeze the frame of a live video of Look with associated interactive link taught by Kikinis so that the user can easily access the interactive link to display an image or multiple images associated with the URL in later time or to enhance the picture quality of the frame being viewed (See Col 3 lines 24-31).

Regarding Claim 19, Look teaches an apparatus comprising a processor, a memory with stored executable codes to perform the freezing of live video frame (Reference to FIG.1 CPU 106 and Memory 104) with interactive link taught by Kikinis. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to freeze the frame of a live video of Look with associated interactive link taught by Kikinis so that the user can easily access the interactive link to display an image or multiple images associated with the URL or to enhance the picture quality of the frame being viewed (See Col 3 lines 24-31).

Art Unit: 2633

Regarding Claim20, Look further teaches a control device to activate the executable instructions (See Col 10 lines 43-46).

Regarding Claim21, Look further teaches the control device having a deactivation mechanism to resume the video (See Col 10 lines 47-50).

Regarding Claim22, Look further teaches a refreshing of a frame buffer is interrupted to maintain the display of a frame (See Col 10 lines 43-47). Look does not teach the frame associated with the interactive link. However, Kikinis does teach the frame with the interactive link. It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made would have been motivated to combine the teaching of Look with the teaching of Kikinis because the interactive data stream is embedded between the frames (See Fig. 2B items 63, 65 as data stream and items 61, 65 as frames) and will be interrupted whenever the frame is interrupted.

Regarding Claim23, Look teaches a system comprising a video presentation device and a control device (See FIG.13 for video presentation device and FIG.14 for a control device).

Regarding Claim24, Look further teaches the frame with interactive link can be stored for later use (See Col 2 lines 7-14, Col 10 lines 49-50).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to fred peng whose telephone number is (571)270-1147. The examiner can normally be reached on Monday-Friday 07:30-17:00.

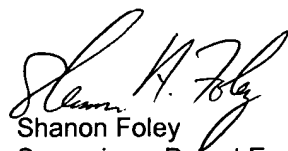
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, shanon foley can be reached on (571)272-0898. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2633

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Fred Peng
Patent Examiner



Shanon Foley
Supervisory Patent Examiner